

**SEVENTY-EIGHTH LEGISLATIVE DAY**

The House met at 1:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Representative John Steinhauer of Sumner County.

Representative Steinhauer led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present ..... 91

Representatives present were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 91.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.

279 — Relative to memory, Paul Borda;

280 — Relative to honoring Louis Carruthers;

281 — Relative to memory, Dr. Harwell Wilson;

282 — Relative to memory, Ron Willis;

285 — Relative to memory, "Sleepy" John Estes;

294 — Relative to honoring Edward C. Boldt;

340 — Relative to honoring Miss Suzanna Timberlake;

376 — Relative to proclaiming "School Volunteer Recognition Weeks";

- 385 — Relative to contesting legality of public law, 94-210;
- 414 — Relative to commending Dr. Julian Peter Dietrich;
- 416 — Relative to congratulating Kermit Smith;
- 419 — Relative to congratulating Mr. and Mrs. James Smith;
- 421 — Relative to congratulating Lady Vols;
- 424 — Relative to commending Nellie Kimber and Elsie Curtis;
- 427 — Relative to commending Ray Roberts;
- 428 — Relative to commending Clarence Womack;
- 429 — Relative to honoring Mr. and Mrs. Paul Haston;
- 430 — Relative to honoring Bobby D. Wilhite;
- 440 — Relative to commending Julian Goodpaster;
- 441 — Relative to congratulating Mrs. Nettie Lou Hefner;
- 443 — Relative to memory, Judge James O. Phillips, Jr.;
- 444 — Relative to designating April 30 as "Ramp Festival Day";
- 450 — Relative to urging U. S. Congress to pass certain Medicaid legislation;
- 462 — Relative to congratulating Baylor School;
- 478 — Relative to congratulating Miss Tina Majure;
- 482 — Relative to expressing sorrow, death of John J. White;
- 485 — Relative to reaffirming commitment to human rights;
- 495 — Relative to honoring Stanley J. Farmer;
- 497 — Relative to congratulating Lebanon High School "Devilettes";
- 498 — Relative to congratulating participants, Dogwood Arts Festival;
- 500 — Relative to expressing sorrow, death of Eldridge Youngblood;
- 501 — Relative to congratulating Mike Rhodes;
- 502 — Relative to commending Lieutenant Colonel Samuel L. Eure;
- 507 — Relative to memory, James A. "Jimmie" Peeler;
- 508 — Relative to memory, James P. Lanier;

509 — Relative to honoring Memphis State University Basketball Program; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

2564 — To amend Charter, Humboldt; substituted for Senate Bill on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to request the return of House Bill No. 2478, for further consideration.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

On motion, House Bill No. 2478 was returned to the Senate as requested.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to request the return of Senate Bill No. 1744, for further consideration.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

On motion, Senate Bill No. 1744 was recalled from the Committee on Finance, Ways and Means.

On motion, Senate Bill No. 1744 was returned to the Senate as requested.

CALENDAR

Mr. Wood moved that House Bill No. 2083 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

House Bill No. 2437 — To amend Section 53-1301, Code.

Mr. Bragg moved that House Bill No. 2437 be passed on third and final reading.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2437 by deleting the amendatory language of Section 1 of said act and substituting in lieu thereof the following language:

"The institutional home for the aged shall be subject to licensure and meet all of the requirements of the minimum standards and regulations of nursing homes, except nursing services by a professional nurse. The residential home for the aged shall be subject to licensure and meet such requirements and minimum standards as the board shall prescribe in regulations pursuant to 53-1310. The board shall, after consultation with the state fire marshal include in such regulations fire safety standards which afford reasonable protection to home for the aged residents without unduly disturbing the residential atmosphere to which they are accustomed. No license to operate a residential home for the aged shall be issued if the home is not approved by the local zoning, building, and fire safety authorities to provide residential custodial care. Notwithstanding approval of a home by the local authorities, the board may request and consider recommendations from the state fire marshal in deciding whether an application for a license to operate a residential home for the aged ought to be granted. In the absences of local authority, and when deemed necessary by the board, approval of the home by the state fire marshal is required, under the minimum standards established by the board."

On motion, the amendment was adopted.

Mr. Bragg moved to amend as follows:

#### AMENDMENT NO. 2

Amend House Bill No. 2437 by renumbering "Section 2" to read "Section 3" and by adding the new Section 2 to read as follows:

Section 2. Section 53-1317, Tennessee Code Annotated, be, and the same is hereby amended, by adding the word "institutional" immediately preceding the phrase "home for the aged" in the first sentence, And the same be further amended by adding after the phrase "175 beds to 199 beds.... \$600.00" the following list:

#### "Residential Homes of the Aged:

Less than 10 beds.....	\$ 50.00
10 beds to 20 beds .....	100.00
20 beds or more .....	150.00

On motion, the amendment was adopted.

Thereupon, House Bill No. 2437, as amended, passed its third and final reading by the following vote:

Ayes.....	80
Noes.....	0
Present and not voting .....	6

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford,

Longley, McKinney, Martin, Miller, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Smith, Spence, Stallings, Starnes, Steinhauer, Tanner, Turner, Watson, Webb, Williams, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 80.

Representatives present and not voting were: McAfee, Moore, Small, Stafford, Wallace and Wolfe — 6.

A motion to reconsider was tabled.

House Bill No. 2070 — To make certain provisions, tangible personal property.

Mr. Bragg moved that House Bill No. 2070 be passed on third and final reading.

Mr. Bragg moved to amend as follows:

#### AMENDMENT NO. 1

Amend House Bill No. 2070 by deleting the following words, phrases and punctuation from Section 1:

(b) Tangible personal property owned and used by a business subject to the Business Tax Act, Tennessee Code Annotated, Title 67, Chapter 58, shall be deemed to have no value for purposes of taxation.

and substitute in lieu thereof the following:

(b) The Quarterly Court for each county by Resolution approved by two-thirds (2/3) of its membership may direct the local Assessor of Property to presume that tangible personal property owned and used by a business subject to the Business Tax has no value.

AND FURTHER AMEND by deleting therefrom Section 3 in its entirety.

On motion, the amendment was adopted.

Mr. Darnell moved to amend as follows:

#### AMENDMENT NO. 2

Amend House Bill No. 2070 to provide a new Section 4 as follows:

"This act shall be null and void if any part thereof is declared unconstitutional."

AND AMEND FURTHER BY

renumbering the present Section 4 as Section 5.

On motion, the amendment was adopted.

Mr. McKinney moved that House Bill No. 2070 be re-referred to the Committee on Finance, Ways and Means.

Mr. Bragg moved that the motion be tabled, which motion prevailed by the following vote:

Ayes.....	62
Noes.....	27
Present and not voting .....	1

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Carter, Cawood, Chiles, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DePriest, Dixon, Elkins, Ford (Cocke), Fuqua, Good, Hall, Hillis, Hurley, Jensen, Johnson, King, Lanier, Lashlee, Ledford, Longley, Miller, Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Rhinehart, Richards, Richardson, Robertson, Scruggs, Shockley, Smith, Stafford, Stallings, Starnes, Steinhauer, Tanner, Wallace, Webb, Wolfe, Wood, Work, Young and Mr. Speaker McWherter — 62.

Representatives voting no were: Blackburn, Brewer, Byrd, Clark, Cobb, Ellis, Fisher, Fleming, Ford (Shelby), Gaia, Gill, Hood, Kernell, McAfee, McKinney, Martin, Moore, Murphy (Davidson), Ozment, Pickering, Pruitt, Robinson (Davidson), Spence, Turner, Watson, Williams and Yelton — 27.

Representative present and not voting was: Robinson (Hamilton) — 1.

Mr. Williams moved to amend as follows:

#### AMENDMENT NO. 3

Amend House Bill No. 2070 by adding the following new section as Section 4 and renumbering the present section appropriately:

Section 4. The provision of this act shall not apply to counties of the first class as defined in Tennessee Code Annotated, Section 8-2402.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2070, as amended, passed its third and final reading by the following vote:

Ayes.....	65
Noes.....	21
Present and not voting .....	7

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Carter, Cawood, Chiles, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), DePriest, Dixon, Elkins, Fisher, Ford (Cocke), Fuqua, Good, Hall, Hillis, Hurley, Jensen, Johnson, King, Lanier, Lashlee, Ledford, Longley, McAfee, Miller, Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Hamilton), Shockley, Smith, Stafford, Stallings, Starnes, Steinhauer, Tanner, Wallace, Watson, Webb, Wolfe, Wood, Work, Young and Mr. Speaker McWherter — 65.

Representatives voting no were: Ashford, Blackburn, Brewer, Byrd, Clark, DeBerry, Fleming, Ford (Shelby), Gaia, Gill, Hood, Kernell, McKinney, Martin, Pruitt, Robinson (Davidson), Small, Spence, Williams, Withers and Yelton — 21.

Representatives present and not voting were: Cobb, Ellis, Moore, Murphy (Davidson), Murphy (Shelby), Ozment and Turner — 7.

A motion to reconsider was tabled.

House Bill No. 2203 — To amend Sections 33-403 and 33-407, Code.

On motion, House Bill No. 2203 was made to conform with Senate Bill No. 2183.

On motion, Senate Bill No. 2183, on same subject, was substituted for House Bill No. 2203.

Mr. Bragg moved that Senate Bill No. 2183 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	91
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 91.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Resolution No. 112 — Relative to continuing the study of Laetrile.

Mr. Miller moved that the resolution be adopted, which motion prevailed by the following vote:

Ayes.....	85
Noes.....	1
Present and not voting .....	3

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Chiles, Clark, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, McAfee, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Steinhauer, Tanner, Turner, Watson, Webb, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 85.

Representative voting no was: Martin — 1.

Representatives present and not voting were: Cawood, Small and Wallace — 3.

A motion to reconsider was tabled.

House Bill No. 2528 — To fix time for holding court, seventeenth chancery division.

Mr. Steinhauer moved that House Bill No. 2528 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	91
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, McAfee, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 91.

A motion to reconsider was tabled.

House Bill No. 1708 — To regulate collection and reporting of business tax.

On motion, House Bill No. 1708 was made to conform with Senate Bill No. 1718.

On motion, Senate Bill No. 1718, on same subject, was substituted for House Bill No. 1708.

Mr. Bragg moved that Senate Bill No. 1718 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	54
Noes.....	22
Present and not voting .....	5

Representatives voting aye were: Atchley, Bell, Blackburn, Bragg, Brewer, Buck, Burnett (Fentress), Bussart, Butler, Byrd, Carter, Cawood, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DePriest, Dixon, Elkins, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Lanier, Lashlee, Miller, Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Richards, Richardson, Robinson (Hamilton), Shockley, Smith, Spence, Stallings, Starnes, Steinhauer, Tanner, Watson, Webb, Work, Yelton and Mr. Speaker McWherter — 54.

Representatives voting no were: Bewley, Burks, Burleson, Clark, Copeland, Ellis, Fisher, Gaia, Gill, McAfee, Martin, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Scruggs, Small, Stafford, Wallace, Williams, Wolfe and Wood — 22.



Representatives present and not voting were: Ashford, Burnett (Sumner), Cobb, Kernell and Moore — 5.

A motion to reconsider was tabled.

House Bill No. 2091 — To provide road signs, Volunteer State Community College.

On motion, House Bill No. 2091 was made to conform with Senate Bill No. 2172.

On motion, Senate Bill No. 2172, on same subject, was substituted for House Bill No. 2091.

Mr. Steinhauer moved that Senate Bill No. 2172 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	84
Noes.....	0
Present and not voting .....	3

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bissell, Blackburn, Brewer, Burks, Burlison, Burnett (Sumner), Bussart, Butler, Byrd, Carter, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton and Young — 84.

Representatives present and not voting were: Buck, Cawood and Rhinehart — 3.

A motion to reconsider was tabled.

House Bill No. 2089 — To remove certain requirement, absentee ballots.

Mr. Steinhauer moved that House Bill No. 2089 be passed on third and final reading.

Mr. Chiles moved to amend as follows:

#### AMENDMENT NO. 1

Amend House Bill No. 2089 by adding the following new paragraph at the end of the amendatory language of Section 1:

The above procedure shall be employed solely in the event that no more than one absentee ballot is cast in the precinct.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2089, as amended, passed its third and final reading by the following vote:

Ayes.....	71
Noes.....	14
Present and not voting .....	2

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Chiles, Clark, Cobb, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Hall, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, McAfee, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pruitt, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Spence, Stallings, Starnes, Steinhauer, Tanner, Wallace, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 71.

Representatives voting no were: Ashford, Buck, Cawood, Copeland, Gill, Hillis, McKinney, Martin, Moore, Robertson, Stafford, Watson, Webb and Williams — 14.

Representatives present and not voting were: Smith and Turner — 2.

A motion to reconsider was tabled.

House Bill No. 2315 — To amend Section 60-116, Code.

On motion, House Bill No. 2315 was made to conform with Senate Bill No. 2208.

On motion, Senate Bill No. 2208, on same subject, was substituted for House Bill No. 2315.

Mr. Watson moved that Senate Bill No. 2208 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	83
Noes.....	0
Present and not voting .....	1

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Sumner), Bussart, Butler, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Stafford, Stallings, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 83.

Representative present and not voting was: Burnett (Fentress) — 1.

A motion to reconsider was tabled.

House Bill No. 1922 — To regulate extermination of dogs, certain cases.

On motion, House Bill No. 1922 was made to conform with Senate Bill No. 1837.

On motion, Senate Bill No. 1837, on same subject, was substituted for House Bill No. 1922.

Mr. Steinhauer moved that Senate Bill No. 1837 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	80
Noes.....	2
Present and not voting .....	3

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, McAfee, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stallings, Steinhauer, Tanner, Turner, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 80.

Representatives voting no were: McKinney and Moore — 2.

Representatives present and not voting were: Rhinehart, Stafford and Wallace — 3.

A motion to reconsider was tabled.

House Bill No. 1701 — To make certain provisions, court of appeals.

Mr. McKinney moved that House Bill No. 1701 be passed on third and final reading.

Mr. Murphy (Shelby) moved to amend as follows:

#### AMENDMENT NO. 1

Amend House Bill No. 1701 by deleting Section 2 in its entirety and substituting instead the following:

**SECTION .** This Act shall take effect on February 1, 1979, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1701, as amended, passed its third and final reading by the following vote:

Ayes.....	75
Noes.....	4
Present and not voting .....	3

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gill, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Rhinehart, Richards, Robinson (Davidson), Robinson (Hamilton), Shockley, Smith, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Watson, Webb, Williams, Wolfe, Work, Yelton, Young and Mr. Speaker McWherter — 75.

Representatives voting no were: Fisher, Scruggs, Small and Wood — 4.

Representatives present and not voting were: Richardson, Robertson and Wallace — 3.

A motion to reconsider was tabled.

House Bill No. 2393 — To amend Section 6-2608, Code.

Mr. Murphy (Davidson) moved that House Bill No. 2393 be passed on third and final reading.

Mr. Murphy (Davidson) moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2393 by deleting the following words:

“by deleting the words and figures “five (5) miles” whenever the same appears therein, and inserting instead the words and figures “ten (10) miles,” and further amended.”

On motion, the amendment was adopted.

Thereupon, House Bill No. 2393, as amended, passed its third and final reading by the following vote:

Ayes.....	82
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Blackburn, Brewer, Buck, Burks, Burleson, Bussart, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, McAfee, McKinney, Miller, Moore, Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 82.

A motion to reconsider was tabled.

House Bill No. 777 — To make certain provisions, physically handicapped and mentally retarded persons.

Mr. Murphy (Davidson) moved that House Bill No. 777 be passed on third and final reading.

Mr. Murphy (Davidson) moved to amend as follows:

# AMENDMENT NO. 1

Amend House Bill No. 777 by striking from Section 1 thereof the words

“remove any”

and substituting therefor the words

“provide for the removal of”

## AND FURTHER AMEND BY:

striking Section 2 thereof in its entirety and substituting therefor a new Section 2 which shall read:

“SECTION 2. Each and every zoning law in Tennessee, whether heretofore or hereafter enacted, except those which only affect incorporated municipalities of five thousand (5,000), or less, population according to the federal census of 1970 or any subsequent federal census, shall make provision within one or more of its residential classifications for homes which may house eight (8) or fewer related or unrelated mentally retarded or physically handicapped persons and not more than two (2) additional persons to act as houseparents or guardians, which houseparents or guardians need not necessarily be related to each other or to any of the mentally retarded or physically handicapped residents of the home.”

On motion, the amendment was adopted.

Thereupon, House Bill No. 777, as amended, passed its third and final reading by the following vote:

Ayes.....	81
Noes.....	0
Present and not voting .....	5

Representatives voting aye were: Atchley, Bewley, Bissell, Blackburn, Bragg, Brewer, Burks, Burleson, Burnett (Fentress), Bussart, Butler, Byrd, Carter, Cawood, Clark, Cobb, Darnell, Davidson (Robertson), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 81.

Representatives present and not voting were: Ashford, Bell, Buck, Chiles and Stafford — 5.

A motion to reconsider was tabled.

House Bill No. 2338 — To make certain provisions, energy conservation.

Mr. Murphy (Davidson) moved that House Bill No. 2338 be passed on third and final reading.

Mr. Murray (Madison) moved to amend as follows:

#### AMENDMENT NO. 1

Amend House Bill No. 2338 by deleting the word "model" from Section 1.

AND FURTHER AMEND Section 2 by deleting all after the word "govern" in the first sentence and substituting instead the words, "the design and construction of new buildings and structures or portions thereof and additions to existing buildings that provide facilities or shelter for public assembly, educational, business, mercantile, institutional, storage, and residential occupancies, as well as those portions of factory and industrial occupancies designed primarily for human occupancy by regulating their exterior envelopes and the selection of their heating, ventilating and air conditioning systems, service water heating, electrical distribution and illuminating systems and equipment for effective use of energy."

AND FURTHER AMEND Section 3 by deleting the present section in its entirety and substituting therefor the following provisions:

"Buildings are exempt from the provisions of this code as follows:

1. All non-residential farm buildings;
2. All temporary buildings used exclusively for construction purposes;
3. Other buildings as specifically exempted by Sections 101.3 (a) and (b) of the code.

AND FURTHER AMEND Section 4 by deleting the present section in its entirety and substituting therefor the following section:

"Section 104.1 of the code shall be amended by deleting the period at the end of the section and replacing it with a semicolon followed by these words "however, the building official may not require submission of plans prepared by a licensed engineer or architect in the case of plans for single family dwellings and duplexes."

AND FURTHER AMEND by adding the following new section:

"Section 5. It is the responsibility of every city, county, town, municipal corporation, and metropolitan government to enforce this act.

"Section 6. Each local government shall adopt the state code for energy conservation in new building construction with any amendments it deems reasonably necessary to accommodate local conditions. If the standards adopted by local governments are equal to or stricter than the code, the local standards shall control. If the local standards are less strict than the code standards, the code standards shall control.

"Section 7. Local governments may charge a reasonable fee for each permit, to offset the costs of administration, inspection, and enforcement of the code, as local government sees fit. The fee may not accrue to the general revenue of the local government or by any other application become subject to laws regulating local taxation.

"Section 8. If any provisions of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or application of the act which can be given effect without the invalid provisions or application, and to that end, the provisions of this act are declared severable.

"Section 9. This act shall take effect July 1, 1978."

Mr. Williams moved to amend Amendment No. 1 as follows:

# AMENDMENT NO. 1 TO AMENDMENT NO. 1

Amend Amendment No. 1 in Section 9 by deleting the date "July 1, 1978" and substituting instead the date "January 1, 1979".

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Thereupon, Amendment No. 1, as amended, was adopted.

Thereupon, House Bill No. 2338, as amended, passed its third and final reading by the following vote:

Ayes.....	77
Noes.....	3
Present and not voting .....	3

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Burks, Burleson, Burnett (Fentress), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Ledford, Longley, McAfee, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Smith, Spence, Stallings, Starnes, Steinhauer, Tanner, Turner, Watson, Webb, Williams, Wood, Work, Yelton and Mr. Speaker McWherter — 77.

Representatives voting no were: Fisher, Lashlee and Wolfe — 3.

Representatives present and not voting were: Small, Stafford and Wallace — 3.

A motion to reconsider was tabled.

Mr. Dixon moved that House Joint Resolution No. 479 be placed on the Calendar for Monday, March 27, 1978, which motion prevailed.

House Bill No. 614 — To amend Tennessee Uniform Administrative Procedures Act.

Mr. Davis moved that House Bill No. 614 be passed on third and final reading.

Mr. Davis moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 614 by substituting the numbers 1978 for the numbers 1977 wherever they appear in Sections 1 and 21 of the bill.

On motion, the amendment was adopted.

Mr. Davis moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 614 by deleting Section 19 of the bill in its entirety.

On motion, the amendment was adopted.

Mr. Davis moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill No. 614 by deleting Section 3 of the Bill in its entirety.

On motion, the amendment was adopted.

Thereupon, House Bill No. 614, as amended, passed its third and final reading by the following vote:

Ayes.....	88
Noes.....	0

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 88.

A motion to reconsider was tabled.

House Bill No. 2444 — To provide for certain legislative disapproval of an administrative rule.

Mr. Richardson moved that House Bill No. 2444 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	91
Noes.....	0



Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 91.

A motion to reconsider was tabled.

House Bill No. 737 — To enact Small Business Purchasing and Contracting Act.

Mr. Murphy (Shelby) moved that House Bill No. 737 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	79
Noes.....	4
Present and not voting .....	1

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Brewer, Buck, Burks, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gill, Good, Hall, Hillis, Hurley, Jensen, Johnson, Kernell, Ledford, Longley, McAfee, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Wood, Work, Yelton and Mr. Speaker McWherter — 79.

Representatives voting no were: Copeland, Lashlee, Stafford and Wolfe — 4.

Representative present and not voting was: Bragg — 1.

A motion to reconsider was tabled.

House Bill No. 1982 — To regulate property sold at sheriff's sale.

On motion, House Bill No. 1982 was made to conform with Senate Bill No. 2263.

On motion, Senate Bill No. 2263, on same subject, was substituted for House Bill No. 1982.

Mr. Turner moved that Senate Bill No. 2263 be passed on third and final reading.

Mr. Murphy (Shelby) moved to amend as follows:

### AMENDMENT NO. 1

Amend Senate Bill No. 2263 by deleting the period at the end of the sentence in Section 1 and by substituting instead the following:

provided such price shall be equal to or greater than fifty percent (50%) of the fair market value.

FURTHER, amend by adding to the end of Section 2, the following:

The property, if it is not sold, shall not be used for personal or department use.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 2263, as amended, passed its third and final reading by the following vote:

Ayes.....	82
Noes.....	4
Present and not voting .....	2

Representatives voting aye were: Atchley, Bewley, Bishop, Bissell, Blackburn, Brewer, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, McAfee, McKinney, Martin, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 82.

Representatives voting no were: Buck, Davidson (Wayne), Robertson and Smith — 4.

Representatives present and not voting were: Bell and Hall — 2.

A motion to reconsider was tabled.

House Bill No. 2433 — To amend Title 53, Code.

Mr. Cobb moved that House Bill No. 2433 be passed on third and final reading.

Mr. Rhinehart moved to amend as follows:

### AMENDMENT NO. 1

Amend House Bill No. 2433 by deleting subsection (d) of Section 1 in its entirety and by renumbering subsequent subsections accordingly.

On motion, the amendment was adopted.

Mr. Bragg moved to amend as follows:

# AMENDMENT NO. 2

Amend House Bill No. 2433 by inserting in Section 1., the words "Chapter 34" following the words Title 53,

and

by deleting from Section 1, (b)(3) and (d) in their entirety, and

by deleting Section 2 in its entirety and substituting in lieu thereof a new Section 2 as follows:

Section 2. Implementation of this program is contingent upon availability of Federal appropriations and other Federal and local funds which may be appropriated for this purpose, in addition to any presently budgeted state funds.

On motion, the amendment was adopted.

Mr. Pickering moved to amend as follows:

# AMENDMENT NO. 3

Amend House Bill No. 2433 by adding:

This Act shall not apply to farm vehicles including tractors and pick-up trucks.

On motion, the amendment was adopted.

Thereupon, House Bill No. 2433, as amended, passed its third and final reading by the following vote:

Ayes.....	69
Noes.....	15
Present and not voting .....	4

Representatives voting aye were: Bell, Bewley, Bissell, Blackburn, Brewer, Buck, Burnett (Fentress), Bussart, Byrd, Cawood, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gill, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Shockley, Small, Smith, Spence, Stallings, Starnes, Steinhauer, Turner, Wallace, Watson, Webb, Williams, Wolfe, Yelton and Mr. Speaker McWherter — 69.

Representatives voting no were: Atchley, Bishop, Burks, Burleson, Butler, Carter, Chiles, Davidson (Wayne), Dixon, Hall, McAfee, Robertson, Stafford, Tanner and Wood — 15.

Representatives present and not voting were: Bragg, Rhinehart, Scruggs and Work — 4.

A motion to reconsider was tabled.

House Bill No. 944 — To provide protective services, mentally or physically dysfunctional adults.

On motion, House Bill No. 944 was made to conform with Senate Bill No. 897.

On motion, Senate Bill No. 897, on same subject, was substituted for House Bill No. 944.

Mr. Scruggs moved that Senate Bill No. 897 be passed on third and final reading.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 897 by adding a new section at the end of the amendatory language in Section 1 as follows:

**FUNDING.** - The cost of the administration of this act and the provision of the services hereby authorized shall be limited to the amount of funds specifically appropriated for such purposes by the General Assembly.

On motion, the amendment was adopted.

Mr. Cobb moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 897 by adding a new section to read as follows:

**COOPERATION BY THE DEPARTMENT OF MENTAL HEALTH.** - It is the legislative intent that the Department of Mental Health and Mental Retardation shall assist the Department of Human Services in any way possible to provide the services required under this chapter. Further, when the Department of Human Services is unable to find a resource for any person in need of protective services who, because of mental illness or mental retardation, is in need of specialized care or treatment, the Department of Mental Health and Mental Retardation shall give priority to such person for appropriate placement.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 897, as amended, passed its third and final reading by the following vote:

Ayes.....	87
Noes.....	2

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, McAfee, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton),

Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 87.

Representatives voting no were: Bragg and Small — 2.

A motion to reconsider was tabled.

Mr. Cobb moved that House Bill No. 311 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

Mr. Davis moved that House Bill No. 2236 be placed on the Calendar for Monday, March 27, 1978, which motion prevailed.

House Bill No. 1896 — To regulate age of forced retirement.

On motion, House Bill No. 1896 was made to conform with Senate Bill No. 1623.

On motion, Senate Bill No. 1623, on same subject, was substituted for House Bill No. 1896.

Ms. Gaia moved that Senate Bill No. 1623 be passed on third and final reading.

Mr. Bragg moved to amend as follows:

#### AMENDMENT NO. 1

Amend Senate Bill No. 1623 by adding in the amendatory language of Section 1 after the word "employee" and before the word "who" the following:

" , except any school principal or administrator, ".

Mr. Longley moved to amend Amendment No. 1 as follows:

#### AMENDMENT NO. 1 TO AMENDMENT NO. 1

Amend Amendment No. 1 by deleting the words "School Principals".

Mr. Burks moved that Amendment No. 1 to Amendment No. 1 be tabled, which motion failed by the following vote:

Ayes.....	12
Noes.....	67

Representatives voting aye were: Bragg, Burks, Ellis, Fuqua, Hillis, Jensen, Rhinehart, Richardson, Robinson (Davidson), Stallings, Wallace and Wolfe — 12.

Representatives voting no were: Atchley, Bell, Bishop, Bissell, Buck, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Byrd, Carter, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), DeBerry, Elkins, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Gaia, Gill, Good, Hall, Hood, Hurley, Johnson, Kernell, King, Lashlee, Ledford, Longley, McAfee, McKinney, Miller, Moore, Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Richards, Robertson, Robinson (Hamilton), Scruggs, Shockley, Smith, Spence, Stafford, Starnes, Steinhauer, Tanner, Turner, Watson, Webb, Williams, Withers, Wood, Work and Yelton — 67.

Thereupon, Amendment No. 1 to Amendment No. 1 was adopted by the following vote:

Ayes.....	74
Noes.....	3

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Blackburn, Buck, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Byrd, Carter, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), DeBerry, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gill, Good, Hall, Hillis, Hood, Hurley, Johnson, Kernell, King, Lanier, Lashlee, Longley, McAfee, McKinney, Miller, Moore, Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Richards, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton and Young — 74.

Representatives voting no were: Burks, Jensen and Small — 3.

Mr. Bragg moved that Amendment No. 1 be withdrawn from the House.

Mr. McKinney moved that Amendment No. 1, as amended, be tabled, which motion prevailed by the following vote:

Ayes.....	58
Noes.....	17
Present and not voting .....	8

Representatives voting aye were: Atchley, Bell, Bissell, Bragg, Buck, Burks, Burnett (Fentress), Bussart, Byrd, Carter, Chiles, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), DeBerry, Dixon, Elkins, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gill, Good, Hall, Hillis, Jensen, Johnson, Lashlee, Ledford, Longley, McAfee, McKinney, Murray (Franklin), Murray (Madison), Nolan, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Shockley, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Wallace, Watson, Webb, Williams, Wolfe, Wood and Young — 58.

Representatives voting no were: Bewley, Burleson, Burnett (Sumner), Clark, Ellis, Fisher, Hood, Hurley, Kernell, King, Miller, Moore, Naifeh, Pickering, Tanner, Turner and Yelton — 17.

Representatives present and not voting were: Bishop, Cobb, DePriest, Murphy (Davidson), Ozment, Scruggs, Small and Work — 8.

Mr. Rhinehart moved to amend as follows:

#### AMENDMENT NO. 2

Amend Senate Bill No. 1623 by deleting the amendatory language of Section 1 in its entirety and by substituting instead the following:

Retirement policies for teachers and for general state employees shall be uniform.

Ms. Gaia moved that Amendment No. 2 be tabled, which motion prevailed by the following vote:

Ayes.....	58
Noes.....	21
Present and not voting .....	1

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Burnett (Fentress), Burnett (Sumner), Bussart, Byrd, Carter, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davis, DeBerry, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Gaia, Gill, Kernell, King, McAfee, Martin, Miller, Moore, Murray (Madison), Nolan, Ozment, Phillips, Pickering, Pruitt, Richards, Robertson, Robinson (Davidson), Robinson (Hamilton), Shockley, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Webb, Williams, Withers, Wood, Work and Yelton — 58.

Representatives voting no were: Bragg, Burks, DePriest, Fuqua, Good, Hall, Hillis, Hurley, Johnson, Lashlee, McKinney, Murray (Franklin), Naifeh, Rhinehart, Richardson, Scruggs, Small, Smith, Wallace, Watson and Wolfe — 21.

Representative present and not voting was: Davidson (Wayne) — 1.

Mr. Williams moved the previous question, which motion failed by the following vote:

Ayes.....	53
Noes.....	31
Present and not voting .....	2

Representatives voting aye were: Bell, Bewley, Bissell, Bragg, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Carter, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davis, DeBerry, Dixon, Elkins, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Gaia, Gill, Good, Hall, Hillis, Kernell, King, Longley, McAfee, Moore, Murphy (Shelby), Murray (Madison), Nolan, Phillips, Pickering, Pruitt, Robinson (Davidson), Robinson (Hamilton), Shockley, Small, Starnes, Tanner, Wallace, Webb, Williams, Withers, Wolfe, Wood, Work and Young — 53.

Representatives voting no were: Atchley, Bishop, Burks, Byrd, Davidson (Wayne), DePriest, Ellis, Fuqua, Hurley, Jensen, Johnson, Lashlee, Ledford, McKinney, Martin, Miller, Murray (Franklin), Naifeh, Ozment, Rhinehart, Richardson, Robertson, Scruggs, Smith, Spence, Stafford, Stallings, Steinhauer, Turner, Watson and Yelton — 31.

Representatives present and not voting were: Murphy (Davidson) and Richards — 2.

Mr. Bewley moved the previous question, which motion prevailed by the following vote:

Ayes.....	60
Noes.....	14
Present and not voting .....	2

Representatives voting aye were: Bell, Bewley, Bishop, Bissell, Blackburn, Buck, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davis, Dixon, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Johnson, King, Ledford, Longley, McAfee, Moore, Murray (Franklin), Naifeh, Nolan, Pickering, Richardson, Robinson (Davidson), Robinson (Hamilton), Shockley, Spence, Stafford, Stallings, Starnes, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work and Yelton — 60.

Representatives voting no were: Atchley, Burks, DeBerry, DePriest, Hurley, Jensen, Lashlee, McKinney, Miller, Murray (Madison), Rhinehart, Robertson, Scruggs and Steinhauer — 14.

Representatives present and not voting were: Kernell and Richards — 2.

Thereupon, Senate Bill No. 1623 passed its third and final reading by the following vote:

Ayes .....	60
Noes .....	19
Present and not voting .....	5

Representatives voting aye were: Atchley, Bell, Bissell, Bragg, Burnett (Fentress), Burnett (Sumner), Bussart, Byrd, Carter, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davis, DeBerry, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Shelby), Gaia, Gill, Good, Hillis, Hurley, Kernell, King, Ledford, Longley, McAfee, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Madison), Nolan, Ozment, Phillips, Pickering, Richards, Robinson (Davidson), Robinson (Hamilton), Shockley, Small, Spence, Stallings, Starnes, Steinhauer, Turner, Wallace, Watson, Williams, Withers, Wolfe, Wood and Work — 60.

Representatives voting no were: Bewley, Bishop, Blackburn, Buck, Burks, Burleson, Davidson (Wayne), DePriest, Fuqua, Hood, Jensen, Johnson, Lashlee, Murray (Franklin), Naifeh, Rhinehart, Stafford, Tanner and Webb — 19.

Representatives present and not voting were: Ford (Cocke), Hall, Richardson, Scruggs and Yelton — 5.

A motion to reconsider was tabled.

### ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 11, 1983, 2047, 2191, 2214, 2314, 2470 and 2499; House Resolutions Nos. 113 and 115; and House Joint Resolutions Nos. 280, 285, 333, 361, 385, 396, 414, 419, 421, 427, 428, 440, 441, 443, 445, 471, 478, 483 and 499; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 11, 1983, 2047, 2191, 2214, 2314, 2470 and 2499; House Resolutions Nos. 113 and 115; and House Joint Resolutions Nos. 280, 285, 333, 361, 385, 396, 414, 419, 421, 427, 428, 440, 441, 443, 445, 471, 478, 483 and 499.

### MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.



395 — To make certain provisions, teachers' retirement;

2130 — To amend Section 8-709, Code; both substituted for Senate Bills on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

#### MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 651, 1690, 1729, 1837 and 2291; also, House Joint Resolutions Nos. 287, 307, 350, 351, 391, 393, 394, 395, 446 and 447; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

#### ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 614, 777, 1701, 2070, 2089, 2393, 2437 and 2528; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

#### MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.

458 — Relative to naming the "Jere B. Ford Memorial Highway";

523 — Relative to commending Jackson South Side High School girls basketball team;

524 — Relative to commending South Side High School basketball team;

525 — Relative to commending Jackson North Side girls basketball team; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

#### MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

2284 — To enact Application of Pesticides Act; substituted for Senate Bill on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

RESOLUTION LYING OVER

Senate Joint Resolution No. 198 — Relative to requesting Board of Pardons and Paroles, publish listing of all persons granted executive clemency.

The resolution was concurred in by the following vote:

Ayes.....	68
Noes.....	4

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Blackburn, Buck, Burks, Burleson, Bussart, Butler, Byrd, Carter, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, Dixon, Elkins, Fisher, Ford (Cocke), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, King, Lanier, Lashlee, Ledford, Longley, McAfee, Miller, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Scruggs, Shockley, Small, Smith, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Yelton and Young — 68.

Representatives voting no were: DeBerry, Ford (Shelby), Murphy (Shelby) and Withers — 4.

A motion to reconsider was tabled.

Mr. Young moved that the rules be suspended for the purpose of introducing House Resolution No. 144 out of order, which motion prevailed.

House Resolution No. 144 — Relative to congratulating the Franklin High School basketball team — By Young and Phillips.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Young, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Richards moved that House Resolution No. 120 be recalled from the Committee on Calendar and Rules, which motion prevailed.

Mr. Richards moved that the rules be suspended for the immediate consideration of House Resolution No. 120, which motion prevailed.

House Resolution No. 120 — Relative to urging re-evaluation of certain decisions, U.S. Postal Service.

On motion of Mr. Richards, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Richards moved that House Resolution No. 140 be recalled from the Committee on Calendar and Rules, which motion prevailed.

Mr. Richards moved that the rules be suspended for the immediate consideration of House Resolution No. 140, which motion prevailed.

House Resolution No. 140 — Relative to congratulating Sears, Roebuck and Co. of Knoxville.

On motion of Mr. Richards, the resolution was adopted.

A motion to reconsider was tabled.

### HOUSE JOINT RESOLUTION ON SENATE AMENDMENT

House Joint Resolution No. 331 — Relative to commending Department of Conservation.

### SENATE AMENDMENT NO. 1

Amend House Joint Resolution No. 331 by deleting the word "Transportation" in the first line of the last paragraph and substituting instead the word "Conservation".

Mr. Watson moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes.....	66
Noes.....	0

Representatives voting aye were: Atchley, Bell, Bewley, Bissell, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Byrd, Carter, Cawood, Copeland, Darnell, Davidson (Robertson), Davis, DePriest, Elkins, Ellis, Fisher, Ford (Cocke), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lashlee, Longley, McAfee, Miller, Murphy (Davidson), Murray (Madison), Ozment, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Shockley, Small, Stafford, Stallings, Starnes, Steinhauer, Tanner, Wallace, Watson, Webb, Wolfe, Wood, Work, Yelton and Young — 66.

A motion to reconsider was tabled.

### MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.

1970 — To amend Section 63-530 thru 63-561, Code.

The Senate nonconcurred in House Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

### FURTHER CONSIDERATION OF SENATE BILL NO. 1970

Senate Bill No. 1970 — To amend Sections 63-530 through 63-561, Code.

Mr. Davis moved that the motion to reconsider Senate Bill No. 1970 be lifted from the table, which motion prevailed.

Mr. Davis moved that the House reconsider its action in passing Senate Bill No. 1970 on third and final reading, as amended, which motion prevailed.

Mr. Davis moved that the House reconsider its action in adopting Amendment No. 1, which motion prevailed.

Mr. Davis moved that Amendment No. 1 be withdrawn, which motion prevailed.

Mr. Davis moved that Senate Bill No. 1970 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	82
Noes.....	0

Representatives voting aye were: Atchley, Bell, Bewley, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, McAfee, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 82.

A motion to reconsider was tabled.

## HOUSE JOINT RESOLUTION ON SENATE AMENDMENT

House Joint Resolution No. 353 — Relative to creating a joint committee to monitor administration of certain laws.

### SENATE AMENDMENT NO. 1

Amend House Joint Resolution No. 353 by deleting the words and figures “three (3) members of the Senate Education Committee” in the first resolving clause and by substituting instead the words and figures “four (4) members of the Senate Education Committee.”

Mr. Lashlee moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes.....	83
Noes.....	0

Representatives voting aye were: Atchley, Bell, Bewley, Bissell, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Small, Smith, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work and Yelton — 83.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.

2200 — To create system, statewide special schools.

The Senate nonconcurred in House Amendments Nos. 1 and 2.

CLYDE W. McCULLOUGH, JR.,

Chief Clerk.

Mr. Lashlee moved that the House refuse to recede from its action in adopting Amendments Nos. 1 and 2 to Senate Bill No. 2200, which motion prevailed.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

1567 — To define county trustee duties, certain purchases.

The Senate refused to recede from its action in adopting Senate Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,

Chief Clerk.

Mr. Lashlee filed the following motion, which motion prevailed.

MR. SPEAKER: I move you, sir, that the House refuse to recede from its action in nonconcurring in Senate Amendment No. 1 to House Bill No. 1567, and that under Rule No. 70 a Conference Committee be appointed to meet with a like committee from the Senate on this bill to prepare a Conference Committee Report for this body's consideration.

FRANK LASHLEE

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Messrs. Lashlee, Naifeh and Burnett (Fentress) as the House Conference Committee on House Bill No. 1567.

Mr. Lashlee moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 527 out of order, which motion prevailed.

House Joint Resolution No. 527 — Relative to expressing appreciation to Commissioner James Neeley — By Lashlee, Lanier, Naifeh, Fuqua, Bishop, Hillis, Butler, Tanner, Stallings, Davidson (Wayne), Murray (Madison), Wallace and Mr. Speaker McWherter.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Lashlee, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Withers asked to be recorded as voting aye on Senate Bills Nos. 1965, 2068, 2175, 2183, 1718, House Resolution No. 112; House Bill No. 2528; Senate Bills Nos. 1837, 2172, 1949,

**2208; House Joint Resolution No. 479; Senate Bills Nos. 1707, 2375, 894, 2353, 2291, 717; and House Bill No. 1982.**

**Mr. Withers asked to be recorded as voting no on Senate Bills Nos. 2094, 2205 and 2107.**

**Mr. Hillis moved that the rules be suspended for the purpose of introducing House Resolution No. 152 out of order, which motion prevailed.**

**House Resolution No. 152 — Relative to congratulating Robert Lynn Turner, Warren County — By Hillis.**

**On motion, the rules were suspended for the immediate consideration of the resolution.**

**On motion of Mr. Hillis, the resolution was adopted.**

**A motion to reconsider was tabled.**

**Mr. Miller moved that the rules be suspended for the purpose of introducing House Resolution No. 148 out of order, which motion prevailed.**

**House Resolution No. 148 — Relative to paying tribute to Gregg L. Sullivan — By Miller, Nolan, Scruggs, Smith, Richards, Hall and Jensen.**

**On motion, the rules were suspended for the immediate consideration of the resolution.**

**On motion of Mr. Miller, the resolution was adopted.**

**A motion to reconsider was tabled.**

### **MESSAGE FROM THE SENATE**

**MR. SPEAKER: I am directed to return to the House, Senate Bill No.**

**1587 — To amend Sections 49-1765 and 49-1767, Code. The Senate refused to recede from its action in nonconcurring in House Amendments Nos. 1, 2 and 3.**

**The Speaker appointed a Conference Committee composed of Senator's O'Brien, Nave and Crouch to confer with a like Committee from the House to resolve the differences of the two bodies on Senate Bill No. 1587.**

**CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.**

**Mr. Bragg moved that the Speaker appoint a Conference Committee to confer with the Senate Conference Committee on Senate Bill No. 1587 in resolving of the two bodies on the bill, which motion prevailed.**

### **APPOINTMENT OF CONFERENCE COMMITTEE**

**The Speaker appointed Messrs. McKinney, Lashlee and Bragg as the House Conference Committee on Senate Bill No. 1587.**

**On motion, House Joint Resolution No. 477 was recalled from the Committee on Calendar and Rules.**

**Mr. Hall moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 477, which motion prevailed.**

**House Joint Resolution No. 477 — Relative to commending Jay Wood, Kathryn Stevens, Annette Muritt, and Scott Haynes.**

**On motion, the resolution was adopted.**

**A motion to reconsider was tabled.**

**Mr. DePriest moved that the rules be suspended for the purpose of introducing House Resolution No. 150 out of order, which motion prevailed.**

**House Resolution No. 150 — Relative to congratulating Coach Dwight Clark — By DePriest.**

**On motion, the rules were suspended for the immediate consideration of the resolution.**

**On motion of Mr. DePriest, the resolution was adopted.**

**A motion to reconsider was tabled.**

**Mr. DePriest moved that the rules be suspended for the purpose of introducing House Resolution No. 151 out of order, which motion prevailed.**

**House Resolution No. 151 — Relative to congratulating Coach Jerry Taylor — By DePriest.**

**On motion, the rules were suspended for the immediate consideration of the resolution.**

**On motion of Mr. DePriest, the resolution was adopted.**

**A motion to reconsider was tabled.**

**Mr. Wallace moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 533 out of order, which motion prevailed.**

**House Joint Resolution No. 533 — Relative to commending Old Hickory Academy, girls basketball team — By Wallace and Murray (Madison).**

**On motion, the rules were suspended for the immediate consideration of the resolution.**

**On motion of Mr. Wallace, the resolution was adopted.**

**A motion to reconsider was tabled.**

**Mr. Wallace moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 534 out of order, which motion prevailed.**

**House Joint Resolution No. 534 — Relative to commending Alamo High School baseball team — By Wallace.**

**On motion, the rules were suspended for the immediate consideration of the resolution.**

On motion of Mr. Wallace, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Wallace moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 535 out of order, which motion prevailed.

House Joint Resolution No. 535 — Relative to commending Alamo High School Basketball team — By Wallace.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Wallace, the resolution was adopted.

A motion to reconsider was tabled.

### APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Messrs. Burnett (Fentress), Rhinehart, Darnell, Bragg, Burks, Copeland, Bewley and Jensen as the House Conference Committee on House Bill No. 1668.

Mr. Murphy (Davidson) moved that House Bill No. 2431 be recalled from the Committee on Calendar and Rules, which motion prevailed.

Mr. Murphy (Davidson) moved that the rules be suspended for the immediate consideration of House Bill No. 2431, which motion prevailed.

House Bill No. 2431 — To amend Housing Authorities Law.

On motion, House Bill No. 2431 was made to conform with Senate Bill No. 2315.

On motion, Senate Bill No. 2315, on same subject, was substituted for House Bill No. 2431.

Mr. Murphy (Davidson) moved that Senate Bill No. 2315 be passed on third and final reading.

Mr. Murphy (Davidson) moved to amend as follows:

### AMENDMENT NO. 1

Amend Senate Bill No. 2315 in Section 3 subsection (1)(a) by deleting all the present wording thereof and substituting in its place as follows:

“(a) That portion of the taxes which would be produced by the rate at which the tax is levied each year by each taxing agency upon the assessed value of such property as shown upon the assessment roll of the appropriate assessor as of the date of the most recently determined valuation prior to the acquisition of such property by the authority (said assessed value being herein called the “base assessment”), shall be allocated to, and when collected, shall be paid to the respective taxing agencies as taxes levied by such taxing agencies on all other property are paid; provided, however, that in any year in which the actual assessment of the area comprising a redevelopment project is less than the base assessment, there shall be allocated and paid to the respective taxing agencies only those taxes actually produced by the application of the current tax rates against such actual assessment;”



And further amend said Bill in Section 3 subsection (1) by adding a new subdivision (d) to the end thereof as follows:

“(d) Taxes shall be levied and collected over all or any part of the area comprising a redevelopment project in the manner provided by law with the following exceptions:

(i) The appropriate assessor shall, in each year during the period in which taxes are to be allocated to the Authority pursuant to (b) above, compute and certify the net amount, if any, by which the then current assessed value of all taxable property located within the redevelopment project which is subject to taxation by the particular taxing agency exceeds the base assessment. The net amount of any such increase is referred to in this subparagraph (d) as the incremental value for that particular year.

(ii) In any year in which taxes are to be allocated to the Authority pursuant to (1)(b) above in which there is an incremental value, the appropriate assessor shall exclude it from the assessed value upon which he computes the tax rates for taxes levied that year by the taxing agency. However, he shall extend the aggregate tax rate of such taxes against the base assessment and the incremental value and shall apply the taxes collected therefrom, subject to any other provisions hereof, as provided above.

(iii) For purposes of this Section 13-817, if in any year property comprising a portion of a particular redevelopment project shall be removed from the tax rolls of a taxing agency, the base assessment for the area of such redevelopment project shall be reduced by the amount of the base assessment allocable to the property so removed for each subsequent year in which taxes are to be allocated to a particular authority pursuant to the above provisions.

On motion, the amendment was adopted.

Mr. Burnett (Fentress) moved that Senate Bill No. 2315, as amended, be held under unfinished business, which motion prevailed.

On motion, the roll call was dispensed with.

## INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 526 — Relative to honoring Coach Boots Donnelly — By Murphy (Davidson), Darnell, Davidson (Robertson), Pickering and Work.

Under the rules, House Joint Resolution No. 526 was referred to the Committee on Calendar and Rules.

House Resolution No. 143 — Relative to expressing sorrow at death of Mr. Seymour “Si” Smiley — By Bissell and Elkins.

Under the rules, House Resolution No. 143 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 528 — Relative to requesting certain legislation, Federal Railroad Safety Act — By McKinney.

Under the rules, House Joint Resolution No. 528 was referred to the Committee on Calendar and Rules.

## INTRODUCTION OF BILLS

House Bill No. 2571 — To amend Chapter 37, Private Acts, 1969 — By Jensen.

Passed first reading.

House Bill No. 2572 — To create County Planning Commission, Blount County — By Henry, Stafford, Ford (Cocke) and Atchley.

Passed first reading.

House Bill No. 2574 — To repeal Chapter 22, Private Acts, 1969 — By Bussart.

Passed first reading.

House Bill No. 2575 — To make certain provisions, transportation of hazardous materials — By Nolan, Good, Hurley, Ledford, Jensen, Burnett (Fentress) and Ozment.

Passed first reading.

House Bill No. 2576 — To provide for election of road supervisor, Morgan County — By Burnett (Fentress).

Passed first reading.

House Bill No. 2577 — To levy wheel tax, Humphreys County — By Lashlee and Pickering.

Passed first reading.

House Bill No. 2578 — To implement amendments to Constitution pertaining to county officials — By Ashford and Johnson.

Passed first reading.

House Bill No. 2579 — To implement certain amendments to Constitution — By Ashford and Johnson.

Passed first reading.

Mr. Jensen moved that Rule No. 75 be suspended in regard to House Bills Nos. 2578 and 2579 to allow said bills to be introduced and considered by the House in the same manner as bills introduced before January 30, 1978, which motion prevailed.

## SENATE BILL ON FIRST READING

Senate Bill No. 1842 — To create a state disaster relief fund.

Passed first reading.

Senate Bill No. 2486 — To amend Chapter 20, Private Acts, 1955.

Passed first reading.

## HOUSE BILLS ON SECOND READING

House Bill No. 2568 — To make certain provisions, Town of Eagleville.

Passed second reading and held without reference.

House Bill No. 2569 — To amend Section 3-103, Code.

Passed second reading and referred to Committee on State and Local Government.

House Bill No. 2570 — To regulate compensation, County Attorney, Hawkins County.

Passed second reading and held without reference.

House Bill No. 2573 — To provide for filling vacancies, General Assembly.

Passed second reading and referred to Committee on State and Local Government.

House Bill No. 2580 — To amend Charter, Signal Mountain.

Passed second reading and held without reference.

## REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Wednesday, March 22, 1978: House Bills Nos. 1798, 909, 2379, 1962, 2261, 1754, 1079, 1756, 2357, 2247, 1973, 1834, 2234, 1874, 2303, 2034, 1828, 2019, 989, 2389, 688, 2181, 1737, 2173 and 2188.

LANIER, Chairman.

## LOCAL BILLS REFERRED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1780, 2568, 2570, and Senate Bill No. 2477.

## MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.

2021 — To enact Obscenity Act of 1978; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

## MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.

550 — To create new offices, Fourteenth Judicial Circuit;

819 — To create additional office, Seventh Judicial Circuit;

2166 — To provide licensing professionals, occupational therapy;

2262 — To amend Section 9-113, Code;

2474 — To amend Sections 53-2601 and 53-2603, Code; all passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Joint Resolutions Nos.

203 — Relative to requesting, Conference on Handicapped Individuals;

240 — Relative to best wishes, B. R. (Buck) Allison;

242 — Relative to commending Jonesboro Herald and Tribune;

243 — Relative to commending The Tomahawk of Mountain City;

245 — Relative to commending Robert H. Montgomery, Jr.;

246 — Relative to congratulating Venora and Edgar Orman; adopted for concurrence.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bills Nos.

1748 — To amend Section 40-4001, Code;

2042 — To amend Section 60-421, Code; substituted for Senate Bills on same subject and passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**ENGROSSED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 737, 2338, 2433 and 2444; and House Joint Resolutions Nos. 477, 527, 533, 534 and 535; and find same correctly engrossed and ready for transmission to the Senate.

**MARILYN EVELYN HAND,**  
Chief Engrossing Clerk.

### MOTIONS

On motion of Mr. Richards, House Bill No. 1783 was recalled from the Committee on Calendar and Rules.

On motion of Mr. Richards, House Bill No. 1783 was withdrawn from the House.

On motion of Mr. Richards, House Bill No. 2458 was withdrawn from the House.

On motion of Mr. Richards, House Bill No. 914 was recalled from the Committee on Judiciary.

On motion of Mr. Richards, House Bill No. 914 was withdrawn from the House.

On motion of Mr. Richards, House Bill No. 2190 was recalled from the Committee on Transportation.

On motion of Mr. Richards, House Bill No. 2190 was withdrawn from the House.

On motion of Mr. Kernell, House Bill No. 2243 was recalled from the Committee on Judiciary.

On motion of Mr. Kernell, House Bill No. 2243 was withdrawn from the House.

On motion of Mr. Kernell, House Bill No. 1541 was recalled from the Committee on General Welfare.

On motion of Mr. Kernell, House Bill No. 1541 was withdrawn from the House.

### SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 2582 — Buck

House Bill No. 2338 — Kernell

House Joint Resolution No. 530 — Buck

### MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 11, 1983, 2047, 2191, 2214, 2314, 2470 and 2499; also, House Joint Resolutions Nos. 280, 285, 333, 361, 385, 396, 414, 419, 421, 427, 428, 440, 441, 443, 445, 471, 478, 483 and 499; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

Mr. Wolfe moved that Rule No. 75 be suspended in regard to House Bill No. 2581 to allow said bill to be introduced and considered by the House in the same manner as bills introduced before January 30, 1978, which motion prevailed.

Mr. Jensen moved that Rule No. 75 be suspended in regard to House Bill No. 2582 to allow said bill to be introduced and considered by the House in the same manner as bills introduced before January 30, 1978, which motion prevailed.

Mr. Tanner moved that Rule No. 75 be suspended in regard to House Bill No. 2583 to allow said bill to be introduced and considered by the House in the same manner as bills introduced before January 30, 1978, which motion prevailed.

### INTRODUCTION OF BILLS

House Bill No. 2581 — To regulate McNairy County purchasing agency — By Wolfe.

Passed first reading.

House Bill No. 2582 — To amend sales and use taxes, nurserymen and farmers — By Hillis, Rhinehart, Johnson, Murray (Franklin), Steinhauer, Stallings, Burks, Darnell and Pickering.

Passed first reading.

House Bill No. 2583 — To create budget system, Henry County — By Mr. Speaker McWherter and Tanner.

Passed first reading.

On motion of Mr. Burnett (Fentress), the House adjourned until 10:00 a.m. tomorrow.